

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of:

IHAB SOLIMAN, et al.

Serial No.: 10/698,102

Filed: October 31, 2003

For: AUXILIARY GEARSET SHIFT PROGRESSION COMMAND GENERATOR
FOR A SWAP-SHIFT AUTOMATIC TRANSMISSION

Attorney Docket No.: FMC 1625 PUS

Group Art Unit: 3661

Examiner: Gertrude Arthur

**TERMINAL DISCLAIMER
UNDER 37 C.F.R. § 1.321(b)**

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Sir:

The undersigned is an Attorney of Record in the application identified above. Both the application identified above and co-pending application Serial No. 10/699,383 are entirely commonly owned by Ford Global Technologies LLC, a Delaware Corporation.

Ford Global Technologies LLC (Assignee) is the owner of the entire right, title and interest in and to the invention claimed and disclosed in U.S. Patent Application Serial No. 10/698,102 by virtue of an assignment, recorded on October 31, 2003 at Reel 015476, Frame 0250.

Assignee hereby disclaims the terminal part of any patent granted on the U.S. Patent Application identified above that would extend beyond the expiration date of the full statutory term as presently shortened by any terminal disclaimer of any patent issuing from U.S. Patent Application Serial No. 10/699,383, and Assignee hereby agrees that any patent

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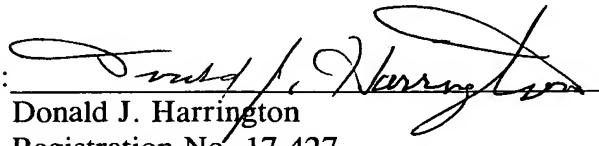
granted on U.S. Patent Application Serial No. 10/698,102 shall be enforceable only for and during such period that the ownership (legal title to said patent) shall be the same as the ownership (legal title to any patent) granted on U.S. Patent Application Serial No. 10/699,383. This agreement is to run with any patent granted on U.S. Patent Application Serial No. 10/698,102 and is to be binding upon the Assignee, its successors and assigns.

Assignee does not disclaim any terminal part of any patent granted on U.S. Patent Application Serial No. 10/698,102 prior to the expiration date of the full statutory term, as presently shortened by any terminal disclaimer, of any patent issuing from U.S. Patent Application Serial No. 10/699,383 in the event that it later: (i) expires for failure to pay a maintenance fee; (ii) is held unenforceable; (iii) is found invalid; (iv) is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a); (v) has all claims canceled by a reexamination certificate; or (vi) is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The Commissioner is authorized to charge the \$130.00 fee and any additional fees, as well as credit any overpayments, to Ford Global Technologies LLC Deposit Account No. 06-1510.

Respectfully submitted,

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